

104TH CONGRESS
1ST SESSION

S. 971

To amend the Public Health Service Act to prohibit governmental discrimination in the training and licensing of health professionals on the basis of the refusal to undergo or provide training in the performance of induced abortions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 27 (legislative day, JUNE 19), 1995

Mr. COATS (for himself, Mr. HELMS, Mr. GREGG, and Mr. ASHCROFT) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Public Health Service Act to prohibit governmental discrimination in the training and licensing of health professionals on the basis of the refusal to undergo or provide training in the performance of induced abortions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medical Training Non-
5 discrimination Act of 1995”.

1 **SEC. 2. ESTABLISHMENT OF PROHIBITION AGAINST ABOR-**
2 **TION-RELATED DISCRIMINATION IN TRAIN-**
3 **ING AND LICENSING OF PHYSICIANS.**

4 Part B of title II of the Public Health Service Act
5 (42 U.S.C. 238 et seq.) is amended by adding at the end
6 the following section:

7 “ABORTION-RELATED DISCRIMINATION IN GOVERN-
8 MENTAL ACTIVITIES REGARDING TRAINING AND LI-
9 CENSING OF PHYSICIANS

10 “SEC. 245. (a) IN GENERAL.—The Federal Govern-
11 ment, and any State that receives Federal financial assist-
12 ance, may not subject any health care entity to discrimina-
13 tion on the basis that—

14 “(1) the entity refuses to undergo training in
15 the performance of induced abortions, to provide
16 such training, to perform such abortions, or to pro-
17 vide referrals for such abortions;

18 “(2) the entity refuses to make arrangements
19 for any of the activities specified in paragraph (1);
20 or

21 “(3) the entity attends (or attended) a post-
22 graduate physician training program, or any other
23 program of training in the health professions, that
24 does not (or did not) require, provide or arrange for
25 training in the performance of induced abortions, or

1 make arrangements for the provision of such
2 training.

3 “(b) ACCREDITATION OF POSTGRADUATE PHYSICIAN
4 TRAINING PROGRAMS.—

5 “(1) IN GENERAL.—With respect to the State
6 government involved, or the Federal Government, re-
7 strictions under subsection (a) include the restriction
8 that, in granting a legal status to a health care en-
9 tity (including a license or certificate), or in provid-
10 ing to the entity financial assistance, a service, or
11 another benefit, the government may not require
12 that the entity be an accredited postgraduate physi-
13 cian training program, or that the entity have com-
14 pleted or be attending such a program, if the appli-
15 cable standards for accreditation of the program in-
16 clude the standard that the program must require,
17 provide or arrange for training in the performance
18 of induced abortions, or make arrangements for the
19 provision of such training.

20 “(2) RULE OF CONSTRUCTION.—With respect
21 to subclauses (I) and (II) of section 705(a)(2)(B)(i)
22 (relating to a program of insured loans for training
23 in the health professions), the requirements in such
24 subclauses regarding accredited internship or resi-

1 dency programs are subject to paragraph (1) of this
2 subsection.

3 “(c) DEFINITIONS.—For purposes of this section:

4 “(1) The term ‘financial assistance’, with re-
5 spect to a government program, includes govern-
6 mental payments provided as reimbursement for car-
7 rying out health-related activities.

8 “(2) The term ‘health care entity’ includes an
9 individual physician, a postgraduate physician train-
10 ing program, and a participant in a program of
11 training in the health professions.

12 “(3) The term ‘postgraduate physician training
13 program’ includes a residency training program.”.

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